



Abandoned Mine Land Section

Land Reclamation Program fact sheet

1/2004

Why does Missouri have abandoned mines?

There are two coal mines operating in Missouri today. However, more than 200 abandoned coal mine sites have operated in Missouri since the early 1800s. Regrettably, much of the mining was done at a time before government regulations required companies to restore the land, and we are still living with this legacy.

Why do abandoned coal mines endanger public safety and property, and impair wildlife habitat and water quality?

Open mine shafts, mine fires, hazardous mine structures, trash dumps, steep and unstable mine embankments, and subsidence from underground mining under buildings and public roads pose dangers to public safety and livestock. Barren, eroding mine lands degrade and devalue adjacent farmland. Many streams in coal mine areas suffer from acid mine drainage, which limits agricultural use and aquatic life.

How many acres of abandoned coal mined land remain in Missouri?

There are nearly 67,000 acres of abandoned coal mined land in Missouri. These acres have been affected by historic mining in Missouri.

When did Missouri begin the work on Abandoned Mine Lands?

In January 1982, Missouri received approval from the Office of Surface Mining of the U.S. Department of the Interior to operate the abandoned mine land program and to conduct reclamation work in Missouri. The Abandoned Mine Land section is a part of the Missouri Department of Natural Resources' Land Reclamation Program, which also administers Missouri's reclamation laws for active mines. U.S. Congress enacted the Surface Mining Control and Reclamation Act in 1977. The act outlined specific requirements for the reclamation of land mined after May 2, 1977. It also established programs and funding for reclaiming abandoned mine land.

Why do we need a government program to deal with Abandoned Mines?

The Abandoned Mine Land section cleans up coal mining that happened before 1977. In most cases the companies who did the mining no longer exist, but even those who exist today are not legally required to reclaim this land. There were no mining laws in place at that time which required the mining company to return the land back to a productive state. This only occurred where the landowner at the time required it as part of a lease agreement. In most cases, the mining company agreed to a royalty payment and left the landowner to do what he could with the land after mining. Today, in order to deal with this historical problem, coal companies pay a fee for each ton of coal mined to pay the cost of reclaiming this old land. The fees are collected by the federal



government and then passed along to any state that has an approved coal regulatory program. Only a state government or an Indian tribe is eligible to receive these funds from the federal government, and then only with an approved regulatory program in place.

How does the Abandoned Mine Land section work?

The department's Abandoned Coal Mine Land section pays all the cost of reclaiming abandoned coal mines throughout Missouri. That reclamation has included all site evaluation, design work and all reclamation. Reclamation typically consists of backfilling exposed highwalls; filling in open coal mine shafts and some lead mine shafts; regrading coal spoils to stable slopes; revegetation work; and cleaning up acid mine drainage that harms Missouri rivers and streams. These projects are mostly on private lands and have been completed at no cost to Missouri landowners. There are no other funds available to assist landowners for these reclamation projects.

How is the program funded?

All coal mined in the United States is federally taxed on a per ton basis. The monies are distributed in grants to state agencies through their approved regulatory program. The grants allow states to address a variety of reclamation needs associated with past mining.

Missouri has been eligible for the monies since 1979 and to date has received \$58.7 million. Missouri must operate a viable coal permitting and inspection program to be eligible for this abandoned mine land funding. Every year the Department of Natural Resources received approximately \$300,000 in state general revenue money to fund the coal regulatory program. Overall funding for the regulatory program consists of those general revenue monies, some fees generated from coal permits, along with approximately \$500,000 in federal matching funds.

The state must operate a coal regulatory program to receive federal funding. Federal abandoned mine land grants bring in approximately \$1.5 to \$2 million to operate the Abandoned Mine Land section. This year, however, a large portion of Missouri's Coal Regulatory Program was cut from the fiscal year 2004 budget. When this happened, the Office of Surface Mining informed Missouri that without full funding for the coal regulatory program, the department may no longer be eligible for the abandoned mine land federal funding. If Missouri's Coal Regulatory Program is not adequately funded in fiscal year 2005, Missouri's Abandoned Mine Land section will end. Missouri would then fall under the federal coal regulatory program law.

How many abandoned mine land areas have been reclaimed?

The Missouri Department of Natural Resources' Land Reclamation Program has reclaimed more than 4,000 acres in 100 coal mine areas and closed 164 dangerous coal mine shafts and 32 lead and zinc mine shafts to date. The department's Abandoned Mine Land section used approximately \$40 million to complete this work through partnerships with landowners and the state. The Abandoned Mine Land section works closely with landowners, assess the problems on site, designs solutions for the problems and then contracts with local and private contractors to complete the reclamation.

Why not just clean it up and sell the land to recoup the costs?

Reclaiming abandoned coal mine lands cost at least \$2,000 per acre and the worst sites may cost up to \$9,000 per acre for reclamation. Generally, Missouri properties are not valued or sold for these dollar amounts, therefore such a concept as reclaiming and selling the land would operate at a loss. In addition, most of this land is already in private ownership, and the state could not sell land that it does not own. This federal reclamation program is a benefit to Missouri citi-

zens, paid by today's coal mining companies. If Missouri landowners do not receive the benefit of this program, then this money will simply go to other states to benefit landowners there.

Is there a difference between the federal and state Abandoned Mine Land programs?

Yes. By design the state Abandoned Mine Land section can address a wide variety of mine related problems. The federal program can only address the most dangerous public safety problems. The federal program ranks all problems by a health and safety priority covering a nine state area. The federal program is generally not as flexible. The state program can address environmental problems caused by past coal mining or close dangerous shaft openings left behind from a lead or zinc mine.

What will happen to Missouri's Abandoned Mine Land Program if the Coal Regulatory Program funding is not restored?

If funding is not restored to Missouri's Coal Regulatory Program, Missouri will likely have to return the coal permitting and inspection program over to the Office of Surface Mining administered coal regulatory program. Under the federally administered program, Missouri would not be ensured of any funding for problems other than emergency situations, such as settling of the ground into an underground mine near a residence. Individual projects within nine states compete for the federal funding. Because of this, the department would expect very few of the remaining 234 abandoned mine land sites in Missouri to be reclaimed. The department also does not expect the dangerous mine shafts associated with past lead and zinc mining to be covered at all under the federally administered Abandoned Mine Land Program.

If Missouri's Abandoned Mine Land section is returned to the Office of Surface Mining, what projects will be completed?

As of July 2003, the department's Abandoned Mine Land section had \$2.4 million from previous abandoned mine land grants available. The department will use this money to finish commitments initiated with landowners and hopefully close several high priority dangerous lead and zinc mine shaft openings in the Jasper and Newton county area. The department would not expect the remaining abandoned mine land projects to be completed by Office of Surface Mining.

The federal program will respond to emergency situations related to coal mining such as dangerous problems caused by mine subsidence. The federal program will also implement Missouri's regulatory program for the active coal mines.

Are there still mines in Missouri that need to be reclaimed?

More than 200 coal mine areas with various needs of reclamation remain in Missouri. Reclamation costs are estimated to exceed \$41 million. There are also more than 2,500 known lead and zinc mine shafts. The most dangerous mine shafts should be closed due to the threat to public safety.

For more information
Missouri Department of Natural Resources
Land Reclamation Program
P.O. Box 176
Jefferson City, MO 65102
1-800-361-4827 or (573) 751-4041 office
(573) 751-0534 fax
www.dnr.mo.gov/alpd/lrp